GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1764
ANSWERED ON:12.12.2003
TIME LIMIT FOR PRONOUNCING JUDGEMENT
PAWAN KUMAR BANSAL

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether after the conclusion of arguments, judgements are reserved by various High Courts in a large number of cases and not pronounced for a very long period;

(b) if so, the details thereof?

(c) whether there are any norms fixing the time-limit for pronouncing a judgement;

(d) if so, the details thereof; and

(e) the total number of cases pending for pronouncements in different High Courts for six months, one year and above one year, respectively?

Answer

MINISTER OF STATE FOR LAW & JUSTICE (SHRI P.C.THOMAS)

(a) & (b) As per available information there were 68 cases (as on 30th June, 2003) in Madhya Pradesh High Court,5 cases in Calcutta High Court (as on 31.12.2002) and 14 cases in Kamataka High Court (as on 31 st March, 2003)where judgements were reserved. As for other High Courts, there are no such cases where judgements have been reserved.

(c) & (d) Order XX Rule (1)
(i) of the CPC (Amendment) Act, 2002 provides as under

` The Court, after the case has been heard, shall pronounce judgement in an open Court, either at once,or as soon thereafter as may be practicable and when the judgement is to be pronounced on some future date, the Court shall fix a day for that purpose, of which due notice shall be given to the parties or their pleaders:

Provided that where the judgement is not pronounced at once, every endeavour shall be made by the Court topronounce the judgement within thirty days from the date on which the hearing of the case was concluded but, where it is not practicable so to do on the ground of the exceptional and extraordinary circumstances of the case, the Court shall fix a future day for the pronouncement of the judgement, and such day shall not ordinarily be a day beyond 60 days from the date on which the hearing of the case was concluded, and due notice of the day so fixed shall be given to the parties or their pleaders.`

(e) There were 68 cases (as on 30th June, 2003) in Madhya Pradesh High Court, 4 cases in Calcutta HighCourt (as on 31.12.2002) and 14 cases in Kamataka High Court (as on 31st March, 2003) where judgements werereserved for more than one but less than six months. Only in one case in Calcutta High Court, judgement was reserved for more than six months. As for other High Courts there are no such cases where judgements have been reserved.